REMARKS

The Office Action mailed February 15, 2006, has been reviewed and carefully considered. Claims 1, 6, 10, 11, 19, 23 and 27-29 have been amended. Claims 1-29 are pending in the application.

In paragraph 2 on pages two of the Office Action, claims 1-9, 11-25 and 27-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Creta in view of Collier. In paragraph 3 on pages nine of the Office Action, claims 10 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Creta in view of Azevedo et al.

Applicant respectfully traverses the rejections. Applicant respectfully submits that the cited references fail to teach each and every element of the claims.

Creta discloses a write-combining buffer that is used to combine write cache lines. A register is associated with a particular write-combining buffer. When the register receives a device driver write, the write-combining buffer associated with the register receiving the device driverwrite is flushed. Logic is used to monitor the content of the write-combining buffer to ensure that data is flushed from the write-combining buffer according to a write ordering protocol, wherein the write ordering protocol defines the order in which bits are flushed from the write-combining buffers.

However, Creta fails to suggest monitoring the buffer to determine a number of writes in the buffer. Creta merely flushes the buffer upon receipt of the proper signal and flushes data from the buffer according to the write ordering protocol. Moreover, Creta fails to suggest identifying an error condition when the number of writes in the buffer exceed the predetermined threshold. Creta does not even mention comparing a number of writes to a threshold. Creta also fails to sugest providing control over a rate of a number of writes provided to the buffer in

response to the monitored number of writes in the buffer and the predetermined threshold. Creta does not discuss pacing a device sending writes to a buffer.

Collier fails to overcome the deficiencies of Creta. Collier merely describes a mechanism for triggering the transmission of flow control packets to a sending device. The flow control packets are sent by a receiving device when an amount of free space in a buffer increases above a threshold. Thus, Collier merely compares an amount of free space to a threshold.

Collier does not monitor the number of writes in a buffer. Rather, Collier merely monitors the free space. Collier does not suggest identifying an error condition when the number of writes in the buffer exceed the predetermined threshold. Collier does not even mention an error condition in response to a comparison of a number of writes to a threshold. Collier also fails to suggest providing control over a rate of a number of writes provided to the buffer in response to the monitored number of writes in the buffer and the predetermined threshold. While Collier discloses a sending device halting the further transmissions when an flow control packet so indicates, Collier does not discuss pacing a sending device.

Azevedo fails to overcome the deficiencies of Creta and Collier. Azevedo merely describes circuitry that times timing each pending request of a control master for the shared bus and initiates bus recovery if the shared bus is hung up, when the control master exceeds a pre-determined time period allowed for waiting to acquire the shared bus control and complete the transfer on the shared bus.

Azevedo does not monitor the number of writes in a buffer. Rather, Azevedo merely monitors a time period allowed for acquiring a shared bus control and completing the transfer on the shared bus. Azevedo does not suggest identifying an error condition when the number of writes in the buffer exceed the predetermined threshold. Azevedo does not even mention an error condition in response to a comparison of a number of writes to a threshold. Azevedo also

fails to suggest providing control over a rate of a number of writes provided to the buffer in response to the monitored number of writes in the buffer and the predetermined threshold.

Accordingly, Creta, Collier and Azevedo, alone or in combination, fail to teach, disclose or suggest Applicants' invention as recited in the independent claims.

Dependent claims 2-10 and 12-26 are also patentable over the cited reference, because they incorporate all of the limitations of the corresponding independent claim 1 and 11. Further dependent claims 2-10 and 12-26 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 2-10 and 12-26 are patentable over the cited references, and request that the objections to the independent claims be withdrawn.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 423-757-0264.

Respectfully submitted,

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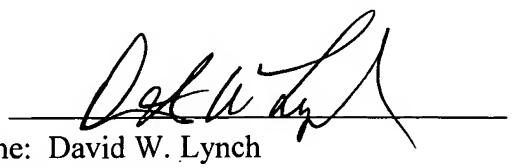
By: 
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